OFFICIAL JOURNAL

—OF THE—

FIFTH GENERAL ASSEMBLY

—OF THE—

STATE OF LOUISIANA.

EXTRA SESSION OF 1877.

SENATE.

Seventh Day's Proceedings.

SENATE CHAMBER,
New Orleans, Friday, March 9, 1877.

The Senate met pursuant to adjournment, the Hon. Louis A. Wiltz, Lieutenant Governor and President of the Senate, in the chair.

On a call of the roll, the following Senators answered to their names:

Messrs. Boatner, Ducros, Ellis, Garland George, Goode, Grover, Kelly, Mitchell, Ogden Perkins, Richardson, Robertson, Steven, Stubbs Texada, Wheeler, White and Zacharie—19.

Absent—Messrs. Allain, Breaux, Bryant, Burch, Cage Demas, Dumont, Eustis Gla, Harper, Landry Sandiford, Stamps, Sutton, Twitchell, Wakefield and Young—17.

On motion of Mr. Kelly the reading of the journal in detail was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, March 9, 1877.

To the Honorable the President and Members of the Senate of the State of Louisiana:

I am instructed to inform your honorable body that the House has passed the following concurrent resolution and ask the concurrence of the Senate in the same:

Concurrent resolution "instructing our Representatives in Congress to support the Texas and Pacific Railroad bill, asking for the subsidies of the United States Government," etc.

Also to inform your honorable body that the House is now ready to meet the Senate in joint assembly to ballot for a United States Senator.

PETER J. TREZEVANT,
Chief Clerk.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
State of Louisiana,
New Orleans, March 7, 1877.

To the Honorable President and Members of the Senate:

Gentlemen—I am directed by his Excellency the Governor to inform you that he has approved and signed the following acts originating in your honorable body:

An act entitled "An act to repeal sections 3451, 3452, 3453, 3454, 3456, 3457, 3458 and 3459 of Revised Statutes of 1870, and the act No. 46," approved February 24, 1869.

"An act entitled an act to repeal an act to provide for the payment of the militia or police force called out to suppress riots or public disturbances, or to enforce the laws by the parishes in which services are rendered, and the mode and manner of levying and collecting the taxes therefor, and for suits against the parish, approved 18th August, 1874."

"An act entitled an act defining mileage to be paid members of the General Assembly when an extra session is called prior to the adjournment of the regular session."

"An act entitled an act to instruct the local authorities of the parish of St. Bernard to remove back to the legal courthouse of the said parish, on the Bayou Terre-aux-Bœufs, the parish and court records, effects and furniture, to repeal an act entitled an act to provide for the removal of the seat of justice of the parish of St. Bernard, and redivide said parish into wards, approved April 14, 1874, and to authorize the police jury of said parish, if sustained by the popular vote, to change the seat of justice of said parish."

"An act entitled an act in relation to recusation of judges and district attorneys in criminal cases and to amend and re-enact section 1667 of the Revised Statutes of the State of Louisiana, approved March 14, 1870."

"An act entitled an act to change the time of holding the term of the District Court in the parishes of Sabine and Red River and to fix a return day for appeals from the parish of Red River."

"An act entitled an act to authorize the consolidation of connecting or intersecting railroad companies; to establish the forms under which the same may be effected; to authorize such consolidated companies to issue bonds and to secure by mortgage and to enumerate and confer certain powers on such consolidated companies.

Respectfully,
DUNCAN S. CAGE, JR.,
Private Secretary.

REPORTS OF COMMITTEES.

Mr. Goode, Chairman of the Committee on Judiciary, submitted the following report:

To the Honorable President and Members of the Senate:

Your Committee on the Judiciary have had under consideration House bill No.—, "An act making the receiving and delivery in the night time of unginned, seed cotton, sold, bartered or otherwise disposed of, a misdemeanor, and prescribing the penalty therefor," and report the same favorably with the following amendments:

Insert after the word "time" in the second line of the title the words "or between sunset and sunrise."

Insert after the word "time" in the 6th line of the 7th section the words "or between sunset and sunrise."

Insert after the word "time" in the second line of the second section the words "or between sunset and sunrise."

To whom was referred House bill No. 149, "An act to authorize the Police Jury of the parish of Claiborne to provide for funding the floating indebtedness of said parish, etc., report the same favorably with the following amendment:

After the word "Claiborne" in the third line of the fourth section add the words "any claim now existing."

Also, Senate bill No. 34, entitled "An act to amend and re-enact article 3158 of the Revised Civil Code."

F. S. GOODE, Chairman.

Which lies over under the rules.

Mr. Steven, Chairman of the Committee on Finance, submitted the following report:

ROOMS SENATE FINANCE COMMITTEE,
New Orleans, March 9, 1877.

To the Honorable President and Members of the Senate:

Gentlemen—Your committee, to whom was referred House bill No. 193, entitled "An act to regulate and fix the fees and compensation of tax collectors for the collection of all taxes throughout the State, and for the listing of property for taxation in all the parishes of the State, except the parish of Orleans," beg leave to report favorably with the following amendments:

In lines 13 and 14, section 1, after the word "dollars" strike out the word "State and parish taxes collected."

After the word "dollars" also, in line 21, section 1, strike out the words "such fees to be paid."

Strike out all of line 22, section 1.

Strike out in line 23, section 1, the words "for such collections."

In line 25 strike out the words "three quarters of."

In line 26 after the word "one" add the words "and a half."

In line 27 strike out the word "two" and insert "three."

In line 28 strike out the words "one and a half" and insert the words "two and a quarter."

In line 29 strike out the word "four" and insert the word "six."

In line 30 strike out the word "two" and insert "three."

In line 5, section 2, after the word "State" insert the words "or parish."

In line 7, section 3, after word "State" insert the word "taxes."

In line 8, section 3, strike out the words "and parish taxes aggregated."

Respectfully submitted,
WILL STEVEN,
Chairman.

Which lies over under the rules.

ACTION ON REPORTS LYING OVER.

The following report of the Committee on Public Education:

To the Honorable the President and Members of the Senate of the State of Louisiana:

The Committee on Public Education, to whom was referred Senate bill No. 105, beg leave to report favorably with the following amendments: In section 2, line 19, after the words "and provided," add "that the said lots, or any portion thereof, shall not be sold for less than was paid for the same, and provided further."

Respectfully submitted,
H. D. OGDEN, Chairman.

Was on motion of Mr. Ogden adopted.

On motion of Mr. Ogden the rules were suspended to consider at this time Senate bill No. 105, entitled "An act to vest in the State Board of Education control of the site purchased for the State, in the city of New Orleans, for the location of a State Normal School, and to authorize the renting or the sale of said site, and the use of the revenues or proceeds to aid in maintaining the normal school or schools to be established in the city of New Orleans."

On motion of Mr. Ogden the bill was considered engrossed and ordered read a third time.

On motion of Mr. Ogden the constitutional rules were suspended, the bill read a third time, finally passed, title adopted, and ordered sent to the House for concurrence.

Mr. Ogden moved to reconsider the vote whereby the bill finally passed, and moved to lay that motion on the table.

Carried.

On motion of Mr. Goode, the Senate proceeded in a body to the hall of the House of Representatives for the purpose of balloting in joint session for a United States Senator.

JOINT SESSION.

The joint session was called to order by the Hon. Louis A. Wiltz, Lieutenant Governor and President of the Senate.

On a call of the roll the following Senators answered to their names:

Messrs. Boatner, Ducros, Ellis, Garland, George, Goode, Grover, Kelly, Mitchell, Ogden, Perkins, Richardson, Sandiford, Steven, Stubbs, Texada, Wheeler, White and Zacharie—19.

On a call of the roll of the House the following members answered to their names:

Messrs. Aldige, Aycock, Bridger, Breard Bowden Barron, Brady, Berry, Bell, Briggs, Barbin, Billieu, Cockerham, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Ferguson, Fitzpatrick, Foerster, Gaskins, Gillespie, Huntington, Hill of Orleans, Jonas, Kennedy, Kelly of Winn, Kelly of Orleans, Kernochan, Kidd, Lyons, Leeds, Lamare, Lea, Leonhard of Orleans, Martin, Means, McGehee, Newsom, Nunez, Porter, Peralta, Pitts, Robertson, Richardson, Ryland, Rolle, Ridgley, Shakspeare, Singleton, Self, Spiller, Stagg, Steele, Sellers, Smart, Taylor, Tremoulet, Toler, Voorhies, Washburne, Williams, Young of Claiborne, and Young of East Baton Rouge—65.

The President of the joint assembly then declared the object of this joint assembly was to ballot for a United States Senator for the term commencing March 4, 1877.

The Secretary of the Senate read the names of the candidates, to wit:

Hon. B. F. Jonas of Orleans, Hon. Randall L. Gibson of Orleans, Hon. W. A. Robertson of St. Landry, Hon. C. B. Wheeler of Morehouse, Hon. John Young of Claiborne.

The rolls of the respective branches of the General Assembly were then called, with the following result:

Senators Ellis and Goode and Representatives Bridger, Breard, Barron, Carloss, Duke, Gaskins, Gillespie, Jonas, Kennedy, Kelly of Winn, Kidd, Means, Spiller, Steele and Washburne voted for the Hon. John Young—17 votes.

Senators Kelly and Stubbs and Representatives Aycock, Bowden, Brady, Buck, Berry, Cockerham, Robertson, Ferguson, Dupree, Huntington, Lyons, Leeds, Lea, Newsom, Peralta, Pitts, Ryland, Shakespeare, Singleton, Stagg, Ridgley and Young of Claiborne voted for the Hon. B. F. Jonas—24 votes.

Senators Ducros and White and Representatives Aldige, Bell, Delavigne, Estopinal, Fitzpatrick, Foerster, Kelly of Orleans, Lamere, Leonhard, Kernochan, McGehee, Porter, Self, Billieu, Smart, Tremoulet, Williams and Young of East Baton Rouge, voted for the Hon. R. L. Gibson—20 votes.

Senators George, Ogden, Richardson, Robertson and Steven and Representatives Briggs, Cressy, Rolle, Sellers, Taylor and Toler voted for the Hon. C. B. Wheeler—11 votes.

Senators Garland, Mitchell, Texada and Wheeler and Representatives Martin, Nunez, Richardson and Voorhies voted for the Hon. W. A. Robertson—8 votes.

Senators Boatner, Perkins and Zacharie voted for the Hon. Louis Texada—3 votes.

Senator Grover voted for the Hon. J. C. Egan—1 vote.

Total number of votes cast 85; necessary to a choice 43.

The President declared that as no one of the candidates had received a majority of the votes cast in joint assembly, there was no election.

On motion of Mr. Boatner, the joint assembly adjourned until to-morrow at 12 o'clock m. and the Senate withdrew to its own chamber.

The Senate was called to order by Lieutenant Governor Wiltz, President of the Senate.

On a call of the roll the following Senators answered to their names:

Messrs. Boatner, Ducros, Ellis, Garland, George, Goode, Grover, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Steven, Stubbs, Texada, Wheeler, White, Zacharie—19.

Absent—Messrs. Allain, Breaux, Bryant, Burch, Cage, Demas, Dumont, Eustis, Gla, Harper, Landry, Sandiford, Stamps, Sutton, Twitchell, Wakefield and Young—17.

Mr. Grover, chairman of the special committee on Metropolitan Police, submitted the following minority report:

ROOMS SENATE SPECIAL COMMITTEE
On Metropolitan Police,
New Orleans, March 7, 1 77.

To the Honorable President and Members of the Senate:

Gentlemen—The undersigned, members of your committee, beg leave herewith to file a minority report, dissenting from the report of the majority, and recommend the immediate passage of House bill No. 71.

Respectfully submitted,
JAS. H. GROVER,
Chairman of Committee.
WILL STEVEN.
W. J. KELLY.

On motion of Mr. Texada, the rules were suspended to take up Senate bill No. 106, special order of the day for 2 o'clock.

On motion of Mr. Richardson, Senate bill No. 106, substitute for House bill No. 38, entitled "An act authorizing the Governor to appoint additional police juries in country parishes, directing police juries to redistrict their respective parishes into police jury wards, and these wards into one or more justices of the peace and election wards, and fixing the number of members, the time and manner of their election, the mode of filling vacancies in the police jury and vacancies which hereafter may occur, fixing the compensation of police jurors, providing forfeitures for their neglect of duty and the mode of enforcing the same; repealing act No. 97, approved April 27, 1871, entitled 'An act to reorganizing the police juries of the State, prescribing the number thereof and the mode of election, and fixing their duties and compensation.'"

Was taken up section by section.

The first section was read, and on motion of Mr. Texada adopted.

The second section was read, and on motion of Mr. Texada adopted.

Section third was read.

Mr. Richardson offered the following amendment, and demanded the yeas and nays upon its adoption:

Section 3, strike out after the word "constable" the words "shall be held in each ward at the same time as the general election," and insert in lieu thereof "in 1878 on the second Monday in May, and every two years thereafter, by order of the President and members of the Police Jury in each parish."

The roll being called resulted as follows:

Yeas—Messrs. Boatner, Ogden, Richardson and White,—4.

Nays—Messrs. Ducros, Ellis, Garland, George, Goode, Grover, Kelly, Mitchell, Perkins, Robertson, Steven, Stubbs, Texada, Wheeler and Zacharie—15.

Absent—Messrs. Allain, Breaux, Burch, Bryant, Cage, Demas, Dumont, Eustis, Gla, Harper, Landry Sandiford, Stamps, Sutton, Twitchell, Wakefield and Young—17.

And the amendment was lost.

On motion of Mr. Richardson, a further consideration of the bill section by section was dispensed with.

Mr. Boatner offered the following amendment to the eighth section and moved its adoption:

"That so much of act No. 97, approved, etc., as is in conflict with the provisions of this act be and the same is hereby repealed."

Adopted.

On motion of Mr. Texada, the bill was considered engrossed and ordered read a third time.

On motion of Mr. Texada, the constitutional rules were suspended, the bill read a third time, and finally passed.

On motion of Mr. Boatner, the title was amended to conform to the amendment of section 8, and adopted as amended.

Mr. Texada moved to reconsider the vote whereby the bill finally passed, and moved to lay that motion on the table. Carried.

Mr. Robertson obtained unanimous consent to call up the following concurrent resolution:

CONCURRENT RESOLUTION

Instructing our Representatives in Congress to support the Texas and Pacific Railroad bill; asking for the subsidies of the United States Government; provided the New Orleans Pacific Railway be made the subsidized branch to connect New Orleans with Shreveport and Marshall, and that the North Louisiana Railroad be made the subsidized branch to connect Vicksburg, in Mississippi, with the Texas Pacific at Shreveport.

Be it resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That our representatives in Congress be and are hereby requested to support the Texas and Pacific Railroad bill, now before Congress, asking for the subsidy of the United States Government; *provided*, the New Orleans Pacific Railway be made the subsidized branch to connect New Orleans with Shreveport and Marshall, and that the North Louisiana Railroad be made the subsidized branch to connect Vicksburg, in Mississippi, with the Texas Pacific at Shreveport.

Be it further resolved, etc., That the Governor of the State of Louisiana, be and he is hereby requested to transmit immediately copies of this concurrent resolution to our members in the Congress of the United States.

Mr. Robertson moved its adoption.

Mr. Stubbs offered the following amendment and moved its adoption:

Strike out "North Louisiana Railroad" and insert "Vicksburg, Shreveport and Texas Railroad."

On motion of Mr. Mitchell, the amendment was laid on the table, and the resolution was adopted.

Mr. White obtained unanimous consent to submit the following majority report from the special Committee on Metropolitan Police:

ROOMS SPECIAL COMMITTEE,
On Metropolitan Police,
New Orleans, March 9, 1877.

To the Honorable President and Members of the Senate:

Gentlemen—The undersigned members constitute a majority of the committee to whom was referred the House bill on the subject of the police of the city of New Orleans, beg leave to report by substitute an act entitled "An act to establish a board of police for the city of New Orleans, and to prescribe their powers and duties." Having found it impossible to reconcile the differences existing between the members of your committee, the undersigned have determined favorably on the substitute for the following reasons:

1. Because it turns over the police to the local authorities.

2. Because in so doing it provides for a police commission to be appointed by the city government, to be composed of persons ineligible to office, and going out of office as commissioners at different times, thus saving as far as possible the dangers to result from the force being directed by persons holding office, and hence open to the temptation of making use of the force for personal ends, and preventing an entire change at each general election.

3. Because it provides by legislative act for the manner in which the police shall be organized without interfering with the local authorities, thus providing a more permanent and less ephemeral enactment than a city ordinance.

The bill which your committee report is simply the carrying out of section 2 of the House bill, and is modeled upon the legislative acts of other States, doubtless found necessary there as a means of giving efficiency and permanancy to the police force required in large cities. The problem has been everywhere found difficult of solution, and the members of your committee can only say that, without originating anything, they have simply taken advantage of the experience of other States as expressed in legislation, having in view the right of the local authorities to control the police and the right of the law-making power of the State to ordain such rules as may render the police efficient.

Respectfully,
F. C. ZACHARIE.
E. D. WHITE.
H. D. OGDEN.
P. A. DUCROS, JR.

On motion of Mr. Grover the minority report was read.

On motion of Mr. Grover the rules were suspended to consider the reports at this time.

Mr. Grover moved the adoption of the minority report.

On motion of Mr. Stubbs the substitute reported by the majority was read in detail.

Mr. Grover demanded the previous question on the adoption of the minority report.

On which motion Mr. White demanded the yeas and nays, the roll being called resulted as follows:

Yeas—Messrs. Ellis, Garland, George, Grover, Kelly, Mitchell, Robertson, Steven, Stubbs, Wheeler and Zacharie—11.

Nays—Messrs. Boatner, Ducros, Goode, Ogden, Perkins, Richardson, Texada and White—8.

Absent—Messrs. Allain, Breaux, Burch, Bryant, Cage, Demas, Dumont, Eustis, Gla, Harper, Landry, Sandiford, Stamps, Sutton, Twitchell, Wakefield and Young—17.

And the main question was ordered.

Mr. White demanded the yeas and nays on the adoption of the minority report. The roll being called, resulted as follows:

Yeas—Messrs. Ellis, Garland, George, Goode, Grover, Kelly, Mitchell, Richardson, Steven, Texada—10.

Nays—Messrs. Boatner, Ducros, Ogden, Perkins, Richardson, Stubbs, Wheeler, White and Zacharie—9.

Absent—Messrs. Allain, Breaux, Bryant, Burch, Cage, Demas, Dumont, Eustis, Gla, Harper, Landry, Sandiford, Stamps, Sutton, Twitchell, Wakefield and White—17.

And the report was adopted.

On motion of Mr. Grover, House bill No. 71, entitled "An act to repeal act No. 74, approved September 14, 1868; act No. 44, approved February 27, 1869; act No. 87, approved March 6, 1869; act No. 92, approved March 8, 1869; act No. 94, approved March 30, 1870; act No. 37, approved March 5, 1873; act No. 64, approved March 26, 1873; act No. 33, approved February 26, 1874; act No. 60, approved March 17, 1874; and act No. 16, approved March 24, 1875, and to authorize the city of New Orleans to establish, organize and maintain a proper and sufficient police force, to preserve order and good government within the corporate limits of said city, and to assume control of the Fire Alarm Telegraph, and to pass ordinances providing for the control, direction and pay of the said police force, and to limit the annual expense of the same."

Was taken up section by section.

The first section was read.

Mr. Steven offered the following amendment, and moved its adoption:

In lines 67 and 68, section 1, strike out the words "and date from the 15th of March, 1877," and insert "from and after the passage of this act."

Adopted.

On motion of Mr. Grover the first section was adopted as amended.

The second section was read.

Mr. Grover offered the following amendment and moved its adoption:

Strike out the words "on and after the 15th day of March, 1877."

Adopted.

Mr. Kelly offered the following amendment, and moved its adoption:

Section 2, line 13, after "the alarm" insert the words "and police."

Adopted.

Mr. Ogden offered the following amendment and moved its adoption:

Add to section 2, "Provided the whole expense of said police force, fire alarm and police telegraph, shall not exceed and is hereby limited to the sum of $350,000 per annum."

Adopted.

On motion of Mr. Grover, the second section was adopted as amended.

The third section was read.

Mr. Kelly offered the following amendment and moved its adoption:

Section 3, line 12, after the word "alarm" insert the words "and police."

Adopted.

Mr. Grover offered the following amendment and moved its adoption:

In lines 9 and 10 strike out the words "on or before the said 15th day of March, 1877.

Adopted.

Mr. Ogden offered the following amendment, and moved its adoption:

In section 3, line 4, insert between "control, direction" the word "and" and strike out the balance of the section and add of the Board of Police—said board shall consist of four commissioners in addition to the Mayor of the city of New Orleans, who shall be *ex-officio* a member and President of the board, and the Administrator of Police of said city, who shall be *ex-officio* a member of the said board, to be chosen in the manner hereinafter prescribed, and a majority of said board shall constitute a quorum for the transaction of business. That the Mayor shall nominate and with the advice and consent of the Common Council, appoint the commissioners of said Board of Police, and the said commissioners shall hold office for one, two, three and four years, to be determined by lot upon their appointment, and at the expiration of the term of each of said commissioners the Mayor shall appoint as aforesaid a commissioner who shall hold office for four years. The power of trying, of removal, or of suspension by any of the officers or patrolmen is exclusively vested in said board, and it shall possess such other powers, and perform such other duties as may be authorized and enjoined by the City Administrators.

And demanded the yeas and nays.

Lieutenant Governor Wiltz in the chair.

The roll being called, resulted as follows:

Yeas—Messrs. Boatner, George, Goode, Ogden, Perkins, Richardson, Stubbs, Texada Wheeler, White and Zacharie—11.

Nays—Messrs. Ducros, Ellis, Garland, Grover, Kelly, Mitchell, Robertson and Steven—8.

Absent—Messrs. Allain, Breaux, Bryant, Burch, Cage, Demas, Dumont, Eustis, Gla, Harper, Landry, Sandiford, Stamps, Sutton, Twitchell, Wakefield and Young—17.

And the amendment was adopted.

Mr. Grover offered the following amendment, and moved its adoption:

Insert the words "and fifty" after the word "hundred" in line 15, section 3.

Adopted.

On motion of Mr. Grover the section was adopted as amended.

Section 4 was read.

Mr Grover offered the following amendment and moved its adoption:

Add to section 4, after the word "repealed," the words "and that this act shall take effect from and after its passage and promulgation."

On motion of Mr. Grover the section was read and adopted.

On motion of Mr. Grover the bill was ordered read a third time.

On motion of Mr. Grover the constitutional rules were suspended the bill read a third time and finally passed.

Mr. Kelly offered the following amendment to the title and moved its adoption:

After the words "fire alarm" add "and police."

Adopted.

Mr. Ogden offered the following amendment to the title, and moved its adoption:

Add "and to establish the board of police."

Adopted.

On motion of Mr. Grover the title as amended was adopted.

Mr. Robertson moved to reconsider the vote whereby the bill finally passed, and moved to lay that motion on the table.

Carried.

On motion of Mr. Texada the Senate went into executive session.

Executive session being raised, on a call of the roll, the following Senators answered to their names:

Messrs. Boatner, Ducros, Ellis, Garland George, Goode, Grover, Mitchell, Ogden, Perkins, Richardson, Robertson, Steven, Stubbs, Texada, Wheeler, White and Zacharie—18.

Absent — Messrs. Allain, Breaux, Bryant, Burch, Cage, Demas, Dumont, Eustis, Gla, Harper, Kelly, Landry, Sandiford, Stamps, Sutton, Twitchell, Wakefield and Young—18.

On motion of Mr. Robertson, the Senate adjourned until Saturday, March 10, 1877 at 12 o'clock m.

JOHN CLEGG,
Secretary of the Senate.

OFFICIAL JOURNAL

—OF THE—

FIFTH GENERAL ASSEMBLY

—OF THE—

STATE OF LOUISIANA.

HOUSE OF REPRESENTATIVES.

EXTRA SESSION OF 1877.

Seventh Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, Friday, March 9, 1877.

The House was called to order at 11:15 a. m. Present:

Hon. L. Bush, Speaker, and Messrs. Aldige, Aycock, Bridger, Breard, Bowden, Barbin, Barron, Brady, Berry, Bell, Briggs, Billieu, Buck, Cockerham, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Ferguson, Fitzpatrick, Foerster, Gaskins, Gillespie, Hill of Orleans, Jonas, Kennedy, Kelly of Winn, Kelly of Orleans, Kidd, Kernochan, Lyons, Leeds, Lamare, Lea, Means, McGehee, Newsom, Nunez, Porter, Peralta, Pitts, Richardson, Ryland, Rolle, Robertson, Sartain, Shakspeare, Singleton, Self, Stagg, Steele, Sellers, Smart, Taylor, Toler, Voorhies, Washburne, Williams, Young of Claiborne and Young of East Baton Rouge.

Sixty-two members and a quorum.

Prayer was offered by the Rev. Dr. Palmer.

The journal of March 8 was approved.

Mr. Toler, rising to a question of privilege, called the attention of the House to certain articles which had appeared in the New Orleans *Times* and *Picayune* newspapers.

Mr. Washburne called up the resolution presented by him on March 8.

His motion to adopt the resolution was lost.

Mr. Kelly, of Winn, called up the concurrent resolution offered March 8 by Mr. Rolle, and on his motion the resolution was adopted and sent to the Senate for concurrence.

Mr. Kelly, of Winn, moved a reconsideration of the vote on which the resolution was adopted, and on his own motion the resolution to reconsider was laid upon the table.

Mr. Huntington asked leave to withdraw from the files of the regular session the bill introduced by himself February 24, House bill No. 156, "An act relative to the duties of the reporter of the decisions of the Supreme Court."

Leave was granted and the bill was withdrawn.

COMMITTEE SERVICE.

Mr. Jonas, chairman, on behalf of the Committee on the Judiciary, presented the following report:

ROOMS OF COMMITTEE ON JUDICIARY,
New Orleans, March 9, 1877.

To the Honorable Speaker and Members of the House of Representatives of the State of Louisiana:

Gentlemen—Your Committee on Judiciary have the honor to make the following report:

Favorably on House bill No. 213, "An act to repeal an act entitled 'An act to admit American citizens who have studied law in the legal institutions of France, Germany or England, and who have been admitted to practice in the superior courts of those respective countries, to practice in the several courts of Louisiana,' approved February 14, 1873."

Favorably on Senate bill No. 101, "An act to regulate the terms of parish courts and fix the salaries of parish judges."

Favorably, with amendments, on House bill No. 201, "An act to create the Eighth Justice's Court of the parish of Orleans, providing for the appointment and election of the justice and constable thereof, and defining the jurisdiction thereof.

Unfavorably on House bill No. 205, "An act to authorize judges to issue rules in cases of application for injunction, and to try the same in chambers."

Unfavorably on House bill No. 200, "An act to repeal act No. 39 of the session of 1872, approved April 23, 1872; act No. 17 of the session of 1874, approved February 20, 1874; act No. 79 of the session of 1876, approved April 4 1876; and all other acts amendatory of article 644 of the Code of Practice, and to amend and re-enact article 644 of the Code of Practice."

Unfavorably on House bill No. 206, "An act entitled an act to amend and re-enact sections 815 and 816 of the Revised Statutes of Louisiana."

Unfavorably on Senate bill No. 103, "An act to authorize the Auditor of Public Accounts to accept and approve the bonds of State Tax Collectors, and to repeal all laws requiring said bonds to be approved by any other officer."

Unfavorably on House bill No. 202, "An act to provide that the warrants drawn in favor of the census taken of the year 1875 shall be received for the taxes and licenses due for said year."

Unfavorably, by majority of committee, on House bill No. 114, "An act relative to the town of Royville, in the parish of Lafayette, and exempting persons and property, within the limits of said town, from the payment of all parish taxes except for court-house and jail purposes."

Favorably by substitute, on Senate bill No. 18, "An act in relation to expenses in criminal proceedings in all the parishes in the State and in the city of New Orleans, and to amend section 1042 of the Revised Statutes of the State of Louisiana, approved March 14, 1870."

B. F. JONAS, Chairman.

Mr. Aldige, chairman, on behalf of the Committee on Banks and Banking, reported on House bill No. 204, "An act to amend an act entitled an act to incorporate the Factors' Warehouse Bank," favorably.

Mr. Bowden, chairman, on behalf of the Committee on Parochial Affairs, reported as follows:

To the Honorable the Speaker and Members of House of Representatives:

Your Committee on Parochial Affairs to whom was referred Senate bill No. 77, "An act to change the eastern boundary of the parish of Pointe Coupee," beg leave to report said bill back to the House without action.

L. H. BOWDEN, Chairman.

Mr. Dupree, chairman, on behalf of the Committee on Quarantine, reported as follows:

ROOMS OF COMMITTEE ON HEALTH AND QUARANTINE,
New Orleans, March 4, 1877.

To the Honorable Speaker and Members of the House of Representatives of the State of Louisiana:

Your Committee on Health and Quarantine, to whom was referred House bill No. 172, entitled "An act to provide for the disposition of offal, garbage, night soil and dead animals, in the parishes of Orleans, Jefferson and St. Bernard, and to provide for the disposition of offal, droppings of slaughter-houses and dead animals in said parishes, beg leave to report the same by substitute.

J. W. DUPREE,
Chairman of Committee.

Said substitute bill was read, and under a suspension of the rules was passed to its second reading and adopted, in lieu of the original bill becoming House bill No. 214.

An act "to provide for the disposition of offal, garbage, night soil and dead animals within the parishes of Jefferson, Orleans and St. Bernard, and to provide for the disposition of offal drippings of slaughter-houses and dead animals in said parishes."

The bill was taken as engrossed, read a third time and passed.

Its title was adopted.

Mr. McGehee, Chairman, on behalf of the Committee on Retrenchment and Reform, reported on House bill No. 208, entitled "An act to fix the salary of the Governor's Private Secretary; to prescribe the manner of paying the same, and to repeal all laws in conflict with this act," beg leave to report unfavorably on said act, with the recommendation that it do not pass.

Mr. Leeds, Chairman, on behalf of the Committee on City Affairs, reported as follows:

HOUSE OF REPRESENTATIVES,
New Orleans, March 9, 1877.

To the Honorable the Speaker and Members of the House of Representatives:

Gentlemen—Your Committee on City Affairs has the honor to report as follows, viz:

On House bill No. 166, "An act to open St. Joseph and Delord streets, in the city of New Orleans, to the river, and to repeal all laws and parts of laws in conflict therewith," it recommends the reference to the Committee on Judiciary.

On House bill No. 178, "An act to authorize the City Council of the city of New Orleans to fill vacancies in offices, under the charter of said city, other than those of Mayor and Administrators," it reports favorably and recommends its passage.

On Senate bill No. 70, "An act to establish an hospital in the city of New Orleans for the treatment of indigents afflicted with small-pox; to provide for the management of said hospital and to repeal act No. 60 of the session of 1872, entitled 'an act to establish an hospital for small-pox and other contagious diseases,' and all other laws or parts of laws on the same subject matter inconsistent with this act," it reports by substitute.

CHAS. J. LEEDS,
Chairman.

On the motion of Mr. Leeds, the above entitled House bill No. 166 was taken up on its second reading and referred to the Committee on the Judiciary.

Mr. Voorhies, chairman, on behalf of the Committee on Railroads, presented the following report:

To the Honorable Speaker and Members of the House of Representatives:

Your Committee on Railroads, to whom was referred House bill No. 210, chartering the Alexandria and South Arkansas Railroad Company, beg leave to report favorably on said bill and recommend its passage.

On motion of Mr. Voorhies, said House bill No. 210 was taken up, under a suspension of the rules, was held as engrossed, read a third time and passed, the title adopted.

Mr. Huntington, chairman, on behalf of the Committee on Claims, reported by bills on the claims of Chas. Curtis and Otto M. Tennison respectively as follows:

House bill No. 216, "An act for the relief of Charles Curtis."

House bill No. 217, "An act for the relief of Otto M. Tennison, of the parish of Orleans."

Referred to the Committee on Judiciary.

Under a suspension of the rules, the bills were severally passed to their second readings and placed upon the calendar.

Mr. Lyons, chairman, on behalf of the Committe on Corporations, presented the following report:

To the Honorable Speaker and Members of the House of Representatives:

Gentlemen—Your Committee on Corporations, to whom was referred House bill No. 183, entitled "An act to incorporate the Mississippi and Terre-aux-Bœufs Railroad Company," beg leave to report favorably with amendment on said bill.

Respectfully submitted,
T. B. LYONS, Chairman.

On motion of Mr. Estopinal, said House bill No. 183 was taken up under the above favorable report, and the amendment recommended by the committee was adopted as follows:

In section 11 strike out all of said section after the words "liable for the" in the second line, and insert the following words: "Contracts or faults of said corporation in any further sum than the unpaid balance due to the company on the shares owned by him."

The bill as amended was taken as engrossed, read a third time, passed, and the title was adopted.

House bill No. 7, "An act to amend and re-enact paragraphs 2 and 17," etc., was taken up under the favorable report by substitute on its second reading.

The bill was read and, under a suspension of the rules, was passed to its second reading and adopted, in lieu of the original bill becoming House bill No. 220.

"An act to define and specify who are 'wholesale dealers and wholesale merchants' and to relieve retail dealers and retail merchants from the payment of a wholesale license tax and to relieve all persons from the payment of a license tax as apothecary or druggist who are not engaged in the business of filling prescriptions or compounding medicines, and to provide that no one but a licensed druggist or apothecary shall keep for sale, or sell, certain named or specified poisons."

The bill was taken as engrossed and, under a suspension of the rules, was read a third time, passed, and the title was adopted.

JOINT SESSION.

A joint session of the General Assembly was held for the purpose of further balloting for a Senator to represent the State of Louisiana in the Senate of the United States for the term beginning March 4, 1877, Hon. L. A. Wiltz, Lieutenant Governor and President of the Senate, presiding.

The roll of the Senate was called, when the following Senators answered to their names:

Messrs. Boatner, Ducros, Ellis, Garland, George, Goode, Grover, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Steven, Stubbs, Texada, Wheeler, White and Zacharie.

Nineteen Senators and a quorum of the Senate.

The roll of the House being called, the following members answered to their names:

Messrs. Aldige, Aycock, Bridger, Breard, Barbin, Bowden, Barron, Brady, Berry, Bell, Billieu, Briggs, Buck, Cockerham, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Fitzpatrick, Foerster, Ferguson, Gaskins, Gillespie, Huntington, Hill of Orleans, Jonas, Kennedy, Kelly of Orleans, Kelly of Winn, Kidd, Kernochan, Lyons, Leeds, Lamare, Lea, Leonhard of Orleans, Martin, Means, McGehee, Newsom, Nunez, Porter, Pitts, Peralta, Richardson, Ryland, Robertson, Rolle, Ridgley, Shakspeare, Singleton, Self, Spiller, Stagg, Steele, Sellers, Smart, Taylor, Toler, Tremoulet, Voorhies, Washburne, Williams, Young of Claiborne and Young of East Baton Rouge.

Sixty-six members and a quorum of the House.

The presiding officer announced that the General Assembly of the State of Louisiana had met in his joint session, as required by law, for the purpose of balloting for a Senator to represent the State of Louisiana in the Senate of the United States for the term beginning March 4, 1877.

Nominations were read as follows: Messrs. Jonas, Gibson, Robertson Wheeler and Young.

There being no further nominations, the roll of the Senate was called, with the following result:

Senators George, Ogden, Richardson, Robertson and Steven voted for the Hon. C. B. Wheeler—5 votes.

Senators Kelly and Stubbs voted for the Hon. B. F. Jonas—2 votes.

Senators Ducros and White voted for the Hon. R. L. Gibson—2 votes.

Senators Garland, Mitchell, Texada and Wheeler voted for the Hon. W. A. Robertson—4 votes.

Senators Ellis and Goode voted for the Hon. John Young—2 votes.

Senators Boatner, Perkins and Zacharie voted for the Hon. Louis Texada—3 votes.

Senator Grover voted for the Hon. J. C. Egan—1 vote.

The roll of the House was called, when the following members voted for the Hon. John Young:

Messrs. Bridger, Breard, Barron, Carloss, Duke, Gaskins, Gillespie, Jonas, Kennedy, Kelly of Winn, Kidd, Means, Spiller, Steele and Washburne—15.

The following members voted for the Hon. B. F. Jonas.

Messrs. Aycock, Bowden, Brady, Buck, Berry, Cockerham, Ferguson, Dupree, Huntington, Lyons, Lea, Leeds, Newsom, Peralta, Pitts, Robertson, Ryland, Ridgley Shakspeare, Singleton, Stagg and Young of Claiborne—22.

The following members voted for the Hon Randall L. Gibson:

Messrs. Aldige, Bell, Delavigne, Estopinal, Fitzpatrick, Foerster, Kelly of Orleans, Lamare, Leonhard, Kernochan, McGehee, Porter, Self, Billieu, Smart, Tremoulet, Williams and Young of East Baton Rouge—18.

The following members voted for the Hon. C. B. Wheeler:

Messrs. Briggs, Cressy, Rolle, Sellers, Taylor and Toler—6.

The following members voted for the Hon. W. A. Robertson:

Messrs. Martin, Nunez, Richardson and Voorhies—4.

Total vote 84; necessary to a choice 43.

No one candidate having received a majority of all the votes cast, the presiding officer declared that there had been no election.

On motion of Mr. Boatner, of the Senate, the joint assembly adjourned and the Senate withdrew to its chamber.

MESSAGE FROM THE GOVERNOR.

The following message from his Excellency the Governor was received:

EXECUTIVE DEPARTMENT,
State of Louisiana,
New Orleans, March 9, 1877.

To the Honorable Speaker and Members of the House of Representatives of Louisiana:

Gentlemen—I am directed by his Excellency the Governor to inform you that he has this day approved and signed the following acts originated in your honorable body, entitled respectively:

"An act to provide for the transfer of rights and franchises to purchasers of railroads under foreclosure